

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
 (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 6278733	FOR FURTHER ACTION	
See item 4 below		
International application No. PCT/GB2005/001196	International filing date (day/month/year) 29 March 2005 (29.03.2005)	Priority date (day/month/year) 29 March 2004 (29.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant BRISON, Paul, Stanley		

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</p> <p>2. This REPORT consists of a total of 8 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="width: 15%; text-align: center; padding: 5px;">Box No. I</td> <td style="width: 70%; padding: 5px;">Basis of the report</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. II</td> <td style="padding: 5px;">Priority</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. III</td> <td style="padding: 5px;">Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. IV</td> <td style="padding: 5px;">Lack of unity of invention</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. V</td> <td style="padding: 5px;">Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. VI</td> <td style="padding: 5px;">Certain documents cited</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. VII</td> <td style="padding: 5px;">Certain defects in the international application</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;">Box No. VIII</td> <td style="padding: 5px;">Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input checked="" type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 04 October 2006 (04.10.2006)</p> <p>Authorized officer Nora Lindner e-mail: pt02@wipo.int</p>
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

REC'D 25 NOV 2005

PWPO

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Applicant's or agent's file reference see form PCT/ISA/220		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)	
International application No. PCT/GB2005/001196	International filing date (day/month/year) 29.03.2005	Priority date (day/month/year) 29.03.2004	
International Patent Classification (IPC) or both national classification and IPC G08C17/00, H05B37/02, H01L23/467			
Applicant BRISON, Paul Stanley			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2005/001196

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the International application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001196

Box No. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:
 - paid additional fees.
 - paid additional fees under protest.
 - not paid additional fees.
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
 - complied with
 - not complied with for the following reasons:

see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
 - all parts.
 - the parts relating to claims Nos.

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	4-10,16-31,35,36,40
	No: Claims	1-3,11-15,32-34,37-39
Inventive step (IS)	Yes: Claims	
	No: Claims	1-40
Industrial applicability (IA)	Yes: Claims	1-40
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item IV

Lack of unity of invention

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1 - 15, 32 - 40.

A power controller and method for controlling power for lights with magnetic detector means for wirelessly controlling the operating modes of the power controller.

2. Claims: 16 - 31.

A power controller for lights with heat sink means for controlling the temperature of the power controller.

The only technical feature in common between claims of groups 1 and 2 is:

A power controller including a casing and a control unit disposed within the casing and arranged to control power delivery to a light.

This technical feature is known from the prior art (see US2003151909). Therefore, it cannot be considered as a "special technical feature" for the purpose of **Rule 13.2 PCT**.

For group 1 the special technical feature according to **Rule 13.2 PCT** is:

Group 1: Magnetic detector means.

For group 2 the potential special technical feature according to **Rule 13.2 PCT** is:

Group 2: Heat sink means.

These features are not the same nor are they corresponding, because they solve different

objective problems, namely:

Group 1: To detect the magnetic field strength of a permanent magnet.

Group 2: To keep the temperature within the casing of the power controller at a low level.

Thus, these two groups of inventions do not have any common special technical features, nor any corresponding special technical features as meant by **Rule 13.2 PCT**, as they relate to different solutions of different objective problems. Hence, **Rule 13.1 PCT** is not satisfied and the subject-matter of the application contains **two** subjects which are not linked by a single inventive concept.

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US2003151909
D2: US6300727
D3: DE10035764
D4: US5869934
D5: US5532557
D6: US6698499
D7: US6621700

2. The present application does not meet the criteria of **Article 33(1) PCT**, because the subject matter of claims 1 and 32 is **not new** in the sense of **Article 33(2) PCT**.

2.1 Document **D1** discloses (the references in parentheses applying to **D1**):

A power controller (20) including:

a casing (**figure 1**);

a control unit (200) disposed within the casing being configurable to any of a plurality of modes of operation to control power delivery to a light (10) and being

responsive to a stimulus wirelessly conveyed thereto from outside the casing to configure to a selected mode of operation determined by the stimulus (paragraph 47), the control unit (200) being arranged to receive control signals wirelessly conveyed thereto from outside the casing and to control said power delivery according to the control signals wherein the response of the control unit (200) to control signals differs according to the mode of operation determined by the stimulus (figures 1 & 2; paragraphs 57 - 61).

Therefore, the subject matter of **claim 1** is not new (Article 33(1) and (2) PCT).

- 2.2 The same reasoning applies, mutatis mutandis, to the subject matter of the corresponding independent **claim 32**, which therefore is also considered not new (Article 33(1) and (2) PCT).
- 2.3 Similar objections can also be raised based on documents **D2** (column 7, lines 11 - 48; column 17, line 25 - column 18, line 63) or **D3** (column 2, line 36 - column 3, line 21). Therefore, the subject matter of **claims 1 and 32** is not new (Article 33(1) and (2) PCT).
3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 16 does not involve an **inventive step** in the sense of Article 33(3) PCT.

Document **D5** is regarded as being the closest prior art to the subject-matter of claim 16, and discloses (the references in parentheses applying to **D5**):

A power controller (11c) including:

a casing (12c);

a control unit (16c) disposed within the casing (12c) and arranged to control power delivery to a light (column 9, lines 51 - 63);

a heat sink means (24c) disposed within the casing (12c) in a space between the control unit (16c) and parts of the casing (12c) (figures 11 - 13; column 9, line 51 - column 10, line 9).

The subject-matter of claim 16 therefore **differs** from the prior art according to document **D5** in that the heat sink means includes a group of vane members each positioned in an array of vane members collectively surrounding at least a part of the

control unit in which vane members are arranged to partially overlap a neighbouring vane member in separated opposition thereto to define fluid ventilation ducts, the vane members extending to collectively define a fluid ventilation conduit in fluid communication with the fluid ventilation ducts and within which the at least a part of the control unit is located.

The **problem** to be solved by the present invention may therefore be regarded as to create repeating airflow cycles for transferring heat.

The **solution** proposed in claim 16 of the present application cannot be considered as involving an inventive step (**Article 33(3) PCT**) for the following reasons.

Feature that the heat sink means includes a group of vane members each positioned in an array of vane members collectively surrounding at least a part of the control unit in which vane members are arranged to partially overlap a neighbouring vane member in separated opposition thereto to define fluid ventilation ducts, the vane members extending to collectively define a fluid ventilation conduit in fluid communication with the fluid ventilation ducts and within which the at least a part of the control unit is located is described in document **D6** as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include this feature in the heat sink means described in document **D5** in order to solve the problem posed.

Therefore, the subject-matter of **claim 16** is not inventive (**Article 33(1) and (3) PCT**).

4. Dependent claims 2 - 15, 17 - 31 and 33 - 40 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to **novelty** and/or **inventive step**. The subject-matter of these dependent claims relates either to features which are already known from the prior art (see documents **D1 - D7** and the corresponding passages cited in the search report) or to obvious design options which come within the scope of the customary practice followed by persons skilled in the art.